

REMARKS

Applicants respectfully request that the above amendments be entered in this application prior to examination on the merits.

1. Status of the Claims

Applicants have canceled original Claims 1-12 and added new Claims 13-30. Upon entry of the above amendments, Claims 13-30 will be pending for examination on the merits.

2. Summary of the Amendments

On page 1, the specification has been amended to incorporate a priority claim to the parent application, U.S. Application Serial No. 10/093,068, filed March 6, 2002, and to properly identify the serial number of a provisional application (60/266,316) to which priority has been claimed.

Claims 1-12 have been canceled without prejudice or disclaimer. Applicants reserve the right to pursue these claims at a later date in divisional or continuation applications.

Claim 13-16 are drawn to homodimers and heterodimers of formulae XI, XII or XIII. Support for Claims 13-16 may be found, for example, on page 2, line 13 through page 20, line 3; page 70, line 28 through page 71, line 1; page 106, lines 1-6; and original Claims 1 and 2 of the original specification as filed.

Claims 17-26 are drawn to homodimers and heterodimers of formulae O, P, or S (corresponding to moieties XI; XII, and XIII respectively). Support for Claims 17-26 may be found, for example, on page 20, line 4, through page 36, line 30; and original Claims 4-10 of the specification as filed.

Claims 27-28 are drawn to a pharmaceutical composition, and are supported by page 110, line 25 through page 117, line 8; and original Claim 11 of the specification as filed.

Claim 29-30 are to a method of treatment, and are supported, for example, on page 1, lines 23-33; page 109, line 23, through page 110, line 10; page 179, line 25 through page 180, line 31; and original Claim 12 of the specification as filed.

3. Restriction Requirement

This application is a divisional of U.S. Serial No. 10/093,068, filed March 6, 2002.

In the '068 application a restriction requirement was imposed dividing the claims into the following groups:

- I. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligands are tripeptides (moiety formula XVII, XVIII), classified in class 530, subclass 331.
- II. Claims 1 (in part), 8 (in part), 11-13 (in part), and 15, drawn to compounds of formula I where the moiety ligand is staurosporine (moiety formula XXII), classified in class 540, subclass 545, and in class 514, subclass 211.05 and 211.01.
- III. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligand is benzodiazepine (moiety formula XXI), classified in class 540, subclass 570.
- IV. Claims 1 (in part), 4-13 (in part), and 14 drawn to compounds of formula I where the moiety ligand is tricyclic ring with 2 additional rings (moiety formula XXIII), classified in class 540, subclass 586; in class 546, subclass 94; and in class 548, subclass 466 and 467.
- V. Claims 1 (in part), and 4-12 (in part) drawn to compounds of formula I where the moiety ligand is fused 1,2-diazines (moiety formula XXV), classified in class 544, subclass 236.
- VI. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligand is pyazolopyrimidine (moiety formula V), classified in class 544, subclass 262.
- VII. Claims 1 (in part) and 4-12 (in part) drawn to compounds of formula I where the moiety ligand is pyridopyrimidine (moiety formula III and IV), classified in class 544, subclass 279.
- VIII. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligand is quinazolines (moiety formula VII), classified in class 544, subclass 283, 287, and 293.

- IX. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligand is unfused 1,3-diazines (moiety formulae XI, XII, and "XII"), classified in class 544, subclass 295, 322, 330, 333 and 335.
- X. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligand is pyrrollopyridine (moiety formula XV), classified in class 546, subclass 113.
- XI. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligand is piperidines with additional imidazole (moiety formula (XIV)), classified in class 546, subclass 210.
- XII. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligand is pyrazole (moiety formula IX), classified in class 548, subclass 364.1, 364.4, 364.7, 365.1, and 371.7.
- XIII. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligand is indolone (moiety formula XXVIII), classified in class 548, subclass 466, 467, and 486.
- XIV. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligand is oxygen containing 10-membered ring (moiety formula XXVI), classified in class 549, subclass 354.
- XV. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligand is quinone derivative (moiety formula (VI), classified in class 552, subclass 261.
- XVI. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligand is nitriles (moiety formula XXVII), classified in class 558, subclass 390, 389, 396, and 408.
- XVII. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligand is amides (moiety formulae XVI, XIX), classified in class 564, subclass various.
- XVIII. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligand is bicyclic ketone (moiety formula VIII), classified in class 568, subclass 327.

- XIX. Claim 1 (in part), and 4-12, drawn to compounds of formula I where the moiety ligand is ether (moiety formula XXIV), classified in class 568, subclass 589.
- XX. Claims 1 (in part), and 4-12 (in part), drawn to compounds of formula I where the moiety ligand is miscellaneous non-heterocyclic (X, XX, and XXIX), classified in class various, subclass various.

For classification purposes, the restriction requirement further stated that "if diverse ligand fall in different classes, the class that has the higher Group number dominates. For example if a ligand at one end falls in Group I and the ligand at the other end falls in Group IX, the compound will be classified in Group I."

The present claims are directed to Group IX. Applicants note that the Examiner listed the formula XII twice in Group IX and Applicants have interpreted this to mean formulae XI, XII, and XIII are included in Group IX (since these are all unfused 1,3-diazines).

Entry of these amendments and early examination of this application on the merits is respectfully requested.

Respectfully submitted,

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By Joyce G. Cohen
Joyce G. Cohen, Reg. No. 44,622

THERAVANCE, INC.
Attn: Legal Dept.
901 Gateway Boulevard
South San Francisco, CA 94080
Tel: (650) 808-6000
Fax: (650) 808-6078